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June 23, 2017

Via Email, Fax and Federal Express

Fax: (216)-328-0091

Flight Services & Systems, Inc.

**Attn: Mr. Phil Armstrong, President & COO**

Corporate Headquarters

Crown Centre

5005 Rockside Road, Suite 940

Cleveland, OH 44131

**RE: Frontier Airlines: Maxine White Matter**

**TIME SENSITIVE TENDER WITH ADDITIONAL PARTY DEADLINE**

Dear Mr. Armstrong:

We represent Frontier Airlines in the above referenced matter pending in the United States District Court for the Western District of Texas, Austin Division, Docket No. 1:16-CV-1266-LY.

Plaintiff, Maxine White, claims in her complaint (see attached) that on June 10, 2015, she was a wheelchair passenger ticketed for a flight aboard a Frontier flight from Austin, Texas to Denver, Colorado (Page 2 of Plaintiff's Complaint, Paragraphs 5 and 6.) Plaintiff ultimately boarded the plane through the use of a "rescue chair."

According to Plaintiff's complaint, one or more individuals carried her up the loading stairs to the plane causing "severe physical injuries as well as mental and physical trauma." These individuals were not Frontier employees based on our initial investigation.

Plaintiff claims arise from several grounds, including negligence, negligent training and supervision and infliction of bodily injury arising out of her transport from the main terminal to the airplane itself. All of these claims fall within the duties and responsibilities of Flight Services & Systems ("FSS").

Pursuant to the relevant provisions of the agreement between the Frontier and FSS: the IATA Standard Ground Handling Agreement, Frontier requests that 1) FSS accept tender of its defense in this case and indemnify Frontier in this action, 2) provide insurance policies that provide coverage for the services you perform for Frontier at any and all locations and 3) copies of all your certificates of insurance for same that confirm Frontier is listed as an additional insured.

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Without commenting on liability, we are tendering the Maxine White matter to you on behalf of Frontier pursuant to contract and an additional insured. Kindly provide this letter to your insurance carrier as soon as possible.

Frontier demands that FSS and/or its insurer respond to this letter in 10 days with either an acceptance or a denial. The presiding Judge in the case has given the parties until July 21st to add additional parties. No depositions have taken place to date.

Please be aware that any assertion of a conditional acceptance and reservation of rights will be treated as a non-response and a conditional denial. If the terms of the acceptance come with a reservation of rights, Frontier will demand that its choice of preferred counsel be accepted due to the obvious conflict of interest and this firm continue defending the case on behalf of those parties but its legal services be paid by your company and its insurer.

Very truly yours,



Patrick J. Comerford

PJC/lac  
Enclosures